

Please amend claim 5 with the clean version provided below to read as follows:

DI 5(Three Times Amended). A polynucleotide probe comprising an oligomer of SEQ ID NO:4-19, wherein said probe does not differ in sequence from a polynucleotide encoding a polypeptide of SEQ ID NO:2 or fragment of said polynucleotide.

### **REMARKS**

This amendment is in response to the Office Action mailed August 23, 2002, for which an unextended response is due November 23, 2002. A petition to extend the time for responding to the outstanding Office Action, for one (1) month, under 37 C.F.R. § 1.136(a), is enclosed with this paper.

Applicant notes that the specification was previously amended in Paper 18 to incorporate into the first page a claim for priority made under 35 U.S.C. § 119 to the Great Britain Application No. 9827016.8, filed on December 8, 1998. An additional certified copy of the priority application is herein enclosed.

Claims 1-3, 5-10, 12, 13, 15 and 16 are pending. Claims 6, 10, 12, 13, 15 and 16 have been cancelled, without prejudice, in response to a restriction requirement. Applicant reserves the right to pursue the subject matter of claims 6, 10, 12, 13, 15 and 16 in any further continuing application.

Claim 5 has been amended to more particularly point out and distinctly claim the subject matter of Applicant's invention. More specifically, claim 5 has been amended to recite polynucleotide probes comprising an oligomer of SEQ ID NO:4-19, wherein said probe does not differ in sequence from a polynucleotide encoding a polypeptide of SEQ ID NO:2 or fragment of said polynucleotide. Support for the amendment to claim 5 may be found on page 1, lines 27-28 and in Figure 3. No new matter has been added.

Consistent with 37 C.F.R. § 1.121, a version of the amended disclosure with markings to show changes resulting from the above amendments is presented at the end of this response.

Applicant herein respectfully requests reconsideration of the application in view of the foregoing additions and the following remarks.

### **Priority Under 35 U.S.C. § 119**

The instant application is objected to for allegedly not complying with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. § 119. The Examiner has acknowledged Applicant's claim for foreign priority based on an application filed